

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240344
Location	66 Milton Road Gravesend Kent DA12 2PJ
Proposal:	Application for a Lawful Development Certificate for the proposed change of use to a 6 person HMO.
Applicant:	Mr Amit Luthra
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
Block Plan (received on 15.04.24);
Site Location Plan (received on 15.04.24);
Drawing No. COL/66MR/SD100 – Floor Plans – Existing;
Drawing No. COL/66MR/SD101 – Basement Floor Plan – Proposed;
Drawing No. COL/66MR/SD102 – Ground Floor Plan – Proposed;
Drawing No. COL/66MR/SD103 – First Floor Plan – Proposed; and
Drawing No. COL/66MR/SD104 – Loft Plan – Proposed.

Property Type

66 Milton Road is a mid terraced property. The plans show a basement level along with a room in the loft.



Consultations and Representations

This is an application for a Proposed Lawful Development Certificate under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Consultation is not part of the procedural requirements. A representation from *Kent Police – Designing out Crime* was received, however, this is not relevant for this application.

Material Consideration

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Relevant Planning History

Reference	Description	Decision	Decision Date
20020923	Erection of a conservatory at the rear.	Permitted	03.01.2003

Permitted Development Rights for HMOs

The proposed floor plans show 6 separate bedrooms; 5 with ensembles, a storage room with an ensuite and a kitchenette style area within bedroom 5. The plans also show a shared kitchen/dining/living area and also a communal kitchen/dining area. Therefore, 66 Milton Road would function as a private domestic dwellinghouse, and not as separate self-contained units. As such, the property would benefit from permitted development rights.

Officer Assessment

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N

Assessment under Class L Schedule 2 Part 3 of the General Permitted Development (England) Order 2015 (as amended)

L.	Development consisting of a change of use of a building -	Y/N
(a)	from a use falling within Class C4 (house of multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;	N/A
(b)	from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule	Y
L.1	Development is not permitted by Class L if it would result in the use -	
(a)	as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule; or	N

(b)	as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.	N
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C3 Dwellinghouses can be converted to a C4 House of Multiple Occupation (HMO) for no more than six (unrelated) people who share amenities, provided it meets the criteria set out in Class L above. 66 Milton Road is in use as a single dwellinghouse and is proposed to be converted to one HMO and therefore complies with Class L.

Conclusion

The proposed development complies with Schedule 2, Part 3, Class L of **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and the **LAWFUL DEVELOPMENT CERTIFICATE is GRANTED**

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	15th May 2024	Dated:	17th May 2024